

TANK NOTES

STATE OF
NEW MEXICO
ENVIRONMENT
DEPARTMENT



... A Newsletter
from the
Petroleum Storage Tank Bureau

PUBLISHED BY THE NEW MEXICO ENVIRONMENT DEPARTMENT

Vol. 12, No. 2

Spring/Summer 2002

State Requirements, Fund Coverage Coming for Above Ground Tanks

By Bill Bryant, Inspector, Dan Lopez, Inspector Supervisor, and Joseph Romero, Inspector Supervisor, PSTB

It all began with the approval of Senate Bill 333 during the 2001 legislative session. Changes to state law as a result of Senate Bill 333 charged the Environment Department's Underground Storage Tank Bureau with the task of regulating above ground storage tanks. The Bureau has begun the process of changing its regulations to include requirements for the registration, installation, modification, repair, and closure or removal of ASTs, as well as release detection, record-keeping and financial responsibility. These requirements will parallel the current UST requirements, so you will see requirements being put in place for spill and overfill prevention, corrosion protection, testing, and inspection of equipment and lines. One of the purposes of the new AST regulations is to provide owners and operators with preferred practices and procedures for AST installation, operation and maintenance at service stations, marinas, small bulk plants and other fueling facilities. Another purpose is to provide access to the Corrective Action Fund for cleanup of AST sites.

Toward the end of May, registration forms and other information will be sent to owners and operators identified by the Bureau's preliminary inventory of ASTs in the state. All AST owners or operators, whether identified in the inventory or not, are required to register their tanks and pay tank fees, set by law at \$100 per tank, by September 14, 2002.

The new universe of regulated above ground storage tanks includes any tank with the following characteristics:

- a single tank or a combination of tanks connected by piping, with a volume of 1,100 gallons or more,
- permanently installed,
- used to contain petroleum, including crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure of 60 degrees Fahrenheit and fourteen and seven tenths pound per square inch absolute, and
- the volume of which is more than ninety percent above the surface of the ground.

www.storage-tank-vaults.com/above_ground_storage_tanks.htm



Tanks in vaults and special enclosures are regulated ASTs. Other regulated tanks include those at bulk plant facilities, but not bulk terminals. This distinction means that tanks used for the temporary storage of petroleum prior to delivery to gasoline stations, convenience stores, and commercial accounts, that are smaller than those at bulk terminals, and that are not accompanied by processing equipment, will be regulated. Other tanks that will not be regulated as ASTs include farm, ranch and residential tanks used for non-commercial purposes.

Historically, petroleum products at service stations and other motor vehicle fueling facilities have been stored underground. In response to environmental requirements and emerging technology, a trend toward the installation of ASTs has developed. The New Mexico Petroleum Storage Tank Bureau intends to recommend practices that will minimize the possibility of AST system failure and reduce environmental and fire hazards. With droughts and an increasing population, it is more important than ever to protect our ground water for present and future generations.

TANK NOTES

Peter Maggiore
NMED Secretary
Ralph Gruebel
Environmental Protection
Division Director
Donna Gary
Environmental Protection
Division Deputy Director
Jerry Schoeppner
PST Bureau Chief

STORAGE TANK COMMITTEE

Peter Maggiore, Chair
Charley Brewer
Benny Hodges
Royce Pearson
Richard Renn
Greg Ryan
Roy Stoesz

PUBLISHER

Petroleum Storage Tank Bureau,
New Mexico Environment
Department

EDITOR

Anna Richards

CONTRIBUTING AUTHORS

Bill Bryant
Joyce Croker
Donna Gary
Nancy Gutierrez
Dan Lopez
Len Murray
Anna Richards
Joseph Romero
Jerry Schoeppner

LAYOUT AND DESIGN

Kathleen Grassel

CIRCULATION

Anna Rose Hickey

This newsletter is for the PST owner/operator population and is provided as a general information guide only. It is not intended to replace, interpret or modify manufacturers' protocols, or the rules, regulations or requirements of local, state or federal government, nor is it intended as legal or official advice. The opinions expressed in articles written by NMED staff and others are those of the authors and do not necessarily reflect those of NMED. We welcome your comments and suggestions. Send address changes and correspondence to: New Mexico Environment Department, Petroleum Storage Tank Bureau, 2044 Galisteo, Santa Fe, New Mexico 87504. Check out the USTB website at www.nmenv.state.nm.us/ust/ustbtop.html

Web Update

By Anna Richards, Manager, Regulations, Data and Information, PST Bureau

For information about all areas and activities of the Environment Department go to <http://www.nmenv.state.nm.us>

For information on the storage tank program and the Corrective Action Fund, you can go straight to <http://www.nmenv.state.nm.us/ust/ustbtop.html>

The Bureau has a new web master to resume maintaining and enhancing our web pages. While this position was vacant, we posted requests for proposals for corrective action and drafts of revisions to the regulations but not much more.

Thanks for your patience in awaiting updated reports. You should see many updates on our web pages in the next month.

Questions and comments? Please contact -- and welcome -- Dominic McBride, the Bureau's new web master, dominic_mcbride@nmenv.state.nm.us



UST Bureau Field Inspectors for Tank Installations, Closures and Major Modifications, and Compliance

Albuquerque NMED District Office

(Albuquerque, Belen, Bernalillo,
 Los Lunas, Socorro, Grants, Cuba)
 Robert Miller, Dan Lopez, John Cochran
 4131 Montgomery NE, Albuquerque, NM
 87109
 505/841-9459

Farmington NMED Field Office

(Aztec, Bloomfield, Gallup, Farmington)
 Thomas Gray
 724 W. Animas, Farmington, NM 87401
 505/325-2458

Clovis NMED Field Office

(Hobbs, Lovington, Tucumcari, Clovis)
 Bill Bryant
 100 E. Manana Blvd., Unit #3,
 Clovis, NM 88101
 505/762-3728

Las Cruces NMED District Office

(Las Cruces, Deming, T or C, Silver City,
 Alamogordo)

Joe Godwin, Pat Moore

1001 N. Solano Drive, P.O. Box 965
 Las Cruces, NM 88004
 505/524-6300

Las Vegas NMED Field Office

(Clayton, Las Vegas, Springer, Raton, Santa
 Rosa, Taos)
 Adrian Jaramillo
 1800 New Mexico Avenue, Las Vegas, NM 87701
 505/425-6764

Roswell NMED Field Office

(Roswell, Carlsbad, Artesia, Ruidoso)
 Len Murray
 1914 West Second St., Roswell, NM 88201
 505/624-6123

UST Bureau in Santa Fe

(Northern NM, other areas not covered)
 Joseph Romero
 2044 Galisteo, Santa Fe, NM 87504
 505/984-1741

Notes from the Chief

by Jerry Schoeppner, Chief, Petroleum Storage Tank Bureau

The Underground Storage Tank Bureau has been very active since the last issue of *Tank Notes*, which came out during the summer of 2001. We have been working on revising the regulations to incorporate above ground storage tanks into the program, working on the Environment Department's IDEA project, testing a revised ranking system, and filling vacant positions.

The Bureau continues to work on revising the existing Underground Storage Tank Regulations to include requirements for above ground storage tanks (ASTs). In recognition of this expanded universe of regulated tanks, the Bureau has changed its name to the Petroleum Storage Tank Bureau (PSTB). While we still regulate chemical underground storage tanks, the vast majority of the tanks under our jurisdiction are petroleum storage tanks.

The Bureau presented its proposed revisions to the regulations dealing with tank registration (USTR Parts 1 - 3) to the Environmental Improvement Board at a public hearing on April 12. The Board approved the revisions, which require registration of ASTs. At a hearing on April 17, the Bureau presented its proposed revisions to the regulations on the administration of the Corrective Action Fund (USTR Part 17) to the NMED Hearing Officer. Once NMED Secretary Maggiore approves revisions to Part 17, regulations will be in place to provide owners and operators of ASTs access to the Fund. We hope that Part 17 as revised will be in place by summer.

The Bureau is continuing to work on revising the remaining parts of the UST regulations (Parts 4 - 16) to incorporate requirements for the installation and operation of ASTs and will present these proposed revisions at a public hearing before the Environmental Improvement Board, hopefully in late summer 2002. You will find drafts of the proposed revisions posted on the Bureau's web page as we work through individual parts.

I want to thank the members of the advisory group, whose names were listed in the last issue of *Tank Notes*, for the time and attention they have been devoting to the development of the regulations. I also want to thank those members of the public who have been following this process and submitting comments. Your participation makes the regulations better.

Many hours have been invested in the Department's IDEA (Integrated Database for Environmental Assurance) project over the last several months. This fall our bureau will join other bureaus in the Department already using the database. This consolidation of data will provide a very powerful tool for achieving faster and better decision-making by the Department and, through a web portal, will provide better access to data by the public and the regulated community. In the near future, tank owners will be able to register their tanks and pay fees "on-line."

As part of the move to the IDEA database, the Bureau will roll out a revised site prioritization system for leaking UST and AST sites. The ranking system has not been revised since 1989. The revised criteria will take into account more site details, including proximity to source water protection areas, completed exposure pathways, contaminant concentrations, effectiveness of remediation, and the dynamics of a contaminant plume.

And, of course, the Bureau continues to fill vacant positions. New and not-so-new faces in the Bureau include:

Kalvin Martin	Manager, Prevention & Inspection Program in Santa Fe
Steve Reuter	Geologist Manager in Albuquerque
Mark Schmidt	Engineer/Project Manager in Albuquerque
Shahzad Shah	Computer Systems Analyst in Santa Fe
Dominic McBride	Computer Systems Analyst in Santa Fe
Joe Godwin	Inspector in Las Cruces
Patrick Moore	Inspector in Las Cruces
Kerry Dennis	Secretary in Roswell
Edwina Ferguson	Secretary in Santa Fe

Finally, remember that the financial staff for the Bureau remained in the Runnels Building at 1190 St. Francis Drive when the Bureau moved last fall to 2044 Galisteo. Continue to send all financial correspondence, including tank fees, applications for payment from the Corrective Action Fund and invoices, to the Office of Finance and Budget, Environmental Protection Division, NMED, P.O. Box 26110, Santa Fe, NM 87502.

Checklist: Getting Ready for Underground Storage Tank Inspections

Courtesy of Ben Thomas at Alaska Tank News, published by the Alaska Dept. of Environmental Conservation, with additions by Joseph Romero, Inspector Supervisor, District Two, Petroleum Storage Tank Bureau, NMED

If you have	Steps you can take to avoid failing inspection
Automatic Tank Gauge (ATG)	<ul style="list-style-type: none"> <input type="checkbox"/> Finding your ATG manual and reviewing it <input type="checkbox"/> Printing your last 12 months of leak detection test results <input type="checkbox"/> Checking test results and making sure you have at least one valid test per month
Double Wall Tank	<ul style="list-style-type: none"> <input type="checkbox"/> Making sure that you check the interstitial space every 30 days and save a copy of the results <input type="checkbox"/> Printing your last 12 months of leak detection test results <input type="checkbox"/> Doing maintenance of interstitial sensors
Sacrificial Anode Cathodic Protection	<ul style="list-style-type: none"> <input type="checkbox"/> Testing cathodic protection every 3 years. <input type="checkbox"/> Finding your last cathodic protection test and having it available
Impressed Current Cathodic Protection	<ul style="list-style-type: none"> <input type="checkbox"/> Making sure the rectifier has power and is always on <input type="checkbox"/> Taking readings from the rectifier every 60 days and logging the results <input type="checkbox"/> Finding your last cathodic protection test result and having it available
Double Wall Pipe	<ul style="list-style-type: none"> <input type="checkbox"/> Checking the pipe sump periodically and removing any liquid <input type="checkbox"/> Making sure the sump sensor is functioning <input type="checkbox"/> Doing maintenance of interstitial sensors <input type="checkbox"/> Printing your last 12 months of leak detection test results
Single Wall Pressurized Pipe	<ul style="list-style-type: none"> <input type="checkbox"/> Having your line tightness tested annually <input type="checkbox"/> Having your line leak detector tested annually
Spill Bucket	<ul style="list-style-type: none"> <input type="checkbox"/> Cleaning out the container and removing any water, debris or dirt <input type="checkbox"/> Making sure the bucket has a tight lid and seal <input type="checkbox"/> Making sure your spill bucket is not cracked or damaged
Automatic Line Leak Detector	<ul style="list-style-type: none"> <input type="checkbox"/> Having the unit serviced annually
Inventory Control and Tank Tightness Test as Release Detection for Tanks	<ul style="list-style-type: none"> <input type="checkbox"/> Having last 12 months of inventory records complete, with total gallons over or short, plus last tank tightness test results.
Third Party Financial Responsibility	<ul style="list-style-type: none"> <input type="checkbox"/> Having documents available that show your form of coverage for third party impacts (The state Corrective Action Fund does not provide proof of financial responsibility for third party claims).

Owners Must Register Both Above Ground and Underground Tanks and Pay Tank Fees

By Nancy Gutierrez, Financial Specialist IV, Office of Finance and Budget, Environmental Protection Division

The Petroleum Storage Tank Bureau will soon regulate above ground petroleum storage tanks, in addition to underground storage tanks. Registration requirements for ASTs become effective later this spring.

The Bureau is in the process of creating one registration form to use for both above ground and underground storage tanks. This registration form will soon be posted on the Bureau's Web page. You can also obtain a form from the inspector in your area. In addition, the Bureau will be mailing registration forms to known owners of ASTs. When you fill out the registration form, please specify for each tank whether it is above ground or underground.

Registration is a one-time deal. You do not need to re-register any USTs that are already registered with the Bureau.

All owners or operators of above ground tanks are required to register their tanks and pay tank fees, whether or not they receive a registration form in the mail. Registration forms

and tank fees should be sent to Nancy Gutierrez, Office of Finance and Budget, EPD, NMED, P.O. Box 26110 (1190 Saint Francis Drive), Santa Fe, NM 87502.

The regulations state that the annual tank fee is \$100 per tank, due July 1. If the tank fee is not paid in full, on time, a late fee of \$25.00 or 25 percent of the unpaid balance, whichever is greater, will be added to the amount due.

This year, owners of ASTs have some extra time to register their ASTs and pay their fees. All ASTs must be registered by September 14, and we ask that you include your check for tank fees with your registration. Late fees will be assessed on AST fees that are not paid by September 14.

Invoices for the annual fee for USTs that are already registered will be mailed to tank owners in late May. Please watch for your invoice during that time and send in payment promptly by July 1, to avoid paying a late fee.

Thank you for your compliance, and please call me at (505) 827-0199 if you have any questions.

Corrective Action Fund Update

By Donna Gary, Deputy Director, Environmental Protection Division

This fund update reflects the increase in the petroleum products loading fee from \$120 to \$150 per load, effective October 2001. The Petroleum Products Loading Fee Act requires that the fee be increased to \$150 a load when the unobligated balance of the Corrective Action Fund at the close of the fiscal year is less than \$6 million. On June 30, 2001, the end of the last fiscal year, the unobligated balance was \$ 3,579,488.

The cash balance in the Corrective Action Fund as of June 30, 2001, was \$19,892,989, although, as just noted, long term corrective action workplan liabilities resulted in an unobligated balance of less than \$4 million. During the first half of the current fiscal year, \$6,504,151 in loading fees and \$350 in certified scientist fees were deposited into the Fund. Withdrawals included \$960,516 in operating expenses, \$1,259,764 in payments for state-lead corrective action, and \$7,632,938 in payments to responsible parties or their

contractors for RP-lead corrective action. Compared to the same period of time a year ago, we spent less on Department averaged operating expenses and more on payments for corrective action. In fact, we paid out almost three times as much money as we did during the same six month period of the previous year.

Between July 1 and December 31, 2001, we approved workplans totaling \$2,282,095 for state-lead sites and \$6,068,956 for RP-lead sites.

The turn-around time for payments from the Corrective Action Fund is now about 60 days.

If you have any questions about the Fund, contact Donna Gary, Deputy Director of the Environmental Protection Division and head of the Office of Finance and Budget, at (505) 827-0185.



About Disclosure Forms for Contractors and Owners – Report Your Changes and Save a Tree!

*By Joyce Croker, Office of Finance
and Budget*

The Ground Water Protection Act prohibits the Department from using the Corrective Action Fund to pay for corrective action, other than the minimum site assessment and sampling, conducted by “a person that is a subsidiary, parent or otherwise affiliated with the owner or operator.” To comply with the Act, the Department requires that owners and contractors submit disclosure statements to ensure that the Fund is not used to pay affiliates for anything but the MSA or sampling.

If you are affected by the disclosure requirement, your responsibility does not end with the first form you file. If you change officers within your corporation, you are required to submit new disclosure forms reporting the changes. However, we only require one copy of each disclosure form - one from the contractor and one from the owner - to be submitted with the two copies of the application for payment from the Fund. Please contact the Office of Finance and Budget at (505) 827-2879 if you have any questions.

LEAK O' the WEEK Apr. 29, 2002 – Nov. 29, 2002

Report releases to the following staff during working hours.
For emergencies during evenings and weekends, call the
NMED emergency number: **(505) 827-9329**.

Apr 29 – May 3	Tim Eckert	841-9475
May 6 – May 10	Susan von Gonten	984-1909
May 13 – May 17	Pat deGruyter	841-9188
May 20 – May 24	Danny Valenzuela	984-1899
May 27 – May 31	Michael Leger	841-9189
Jun 3 – Jun 7	George Beaumont	984-1948
Jun 10 – Jun 14	Lane Address	841-9478
Jun 17 – Jun 21	Tom Williams	841-9462
Jun 24 – Jun 28	Jim Mullany	841-9349
July 1 – July 5	Chris Holmes	984-1902
July 8 – July 12	Tim Eckert	841-9475
July 15 – July 19	Susan von Gonten	984-1909
July 22 – July 26	Pat deGruyter	841-9188
July 29 – Aug 2	Danny Valenzuela	984-1899
Aug 5 – Aug 9	Michael Leger	841-9189
Aug 12 – Aug 16	George Beaumont	984-1948
Aug 19 – Aug 23	Lane Address	841-9478
Aug 26 – Aug 30	Tom Williams	841-9462
Sept 2 – Sept 6	Jim Mullany	841-9349
Sept 9 – Sept 13	Tim Eckert	841-9475
Sept 16 – Sept 20	Chris Holmes	984-1902
Sept 23 – Sept 27	Susan von Gonten	984-1909
Sept 30 – Oct 4	Pat deGruyter	841-9188
Oct 7 – Oct 11	Danny Valenzuela	984-1899
Oct 14 – Oct 18	Michael Leger	841-9189
Oct 21 – Oct 25	George Beaumont	984-1948
Oct 28 – Nov 1	Lane Address	841-9478
Nov 4 – Nov 8	Tom Williams	841-9462
Nov 11 – Nov 15	Jim Mullany	841-9349
Nov 18 – Nov 22	Tim Eckert	841-9475
Nov 25 – Nov 29	Chris Holmes	984-1902

A Preventable Accident: There's Danger In Lack of Attentiveness

By Len Murray, Inspector, Roswell District Office, PST Bureau

A group of men in a small New Mexico town are standing out in the parking area of a local store, over one of the store's three underground storage tanks. They are joking and carrying on casual conversation, not really noticing what is going on around them. They are there to pull old piping, install new piping and dispensers, and sample the soil for contamination. One man is kneeling with his head down in a pump sump. He is unscrewing a line block apparatus called a "silver bullet." This cylinder-shaped device blocks air from entering the pump/tank, so that one can air test the piping.

Suddenly, a geyser of gasoline shoots up from the sump. The man kneeling over the sump is hit full force in the face, immediately blinded, in pain, and soaked with gasoline. In this group of men is a UST Inspector. His left sleeve and the lower part of his pants are soaked. The other men receive a partial wetting with gasoline, mostly just drops here and there. All of them are inside a vapor cloud of gasoline.

In the meantime, the geyser has been raining down and forming a stream of gasoline that is flowing downhill. Down hill from this flowing stream of gasoline are two pickup trucks. One is empty and just sitting there. The other is idling, with a man and little boy sitting in it. When the pool of gasoline flows under the idling truck, it ignites. There is a flash, then flames under the truck. The flames travel up hill, under the second pickup, then toward the pump sump. Some of the men try to run but, before they can get far, a large flash of flame covers all of them. The man who had been kneeling, now standing, is engulfed in flame. The inspector's shirt and pants are on fire. The others are trying to put out patches of fire on their clothing and bodies.

You may be asking, "Is this fact or fiction? I don't recall hearing about this on the news." Most of the events described above actually happened in a small New Mexico town in April 2001. But, thankfully, this time the gasoline did not catch on fire! No pickups or men were burned but, as

the preceding narrative illustrated, they could have been. The kneeling man happened to be a Level A tank installer, and he had to have his eyes flushed with lots of water, for quite awhile. He was rinsed off in the parking lot in between two pickup doors. He also needed a change of clothes. After a couple of hours he was pretty much OK, and luckily he didn't swallow or inhale any liquid gasoline.

Now what actually happened to cause this dangerous spill? The installer and a crew member were performing a pressure/soap test on newly installed FRP piping. The unleaded and plus unleaded lines passed. No bubbles were observed. However, the super-unleaded line wouldn't hold the 50 pounds of pressure put on by the testing equipment. The installer thought that he had a defective "silver bullet." The inspector and several other men wandered over to watch and talk. Trouble began when the installer was faster at unscrewing than his crewman was at letting off the pressure. Instead of the pressure being relieved at the empty pipe end, the air blew down through the pump/tank, creating an "Old Faithful" geyser effect.

This was a very preventable accident. The installer needed to pay attention to what his crewman was doing, and make sure the pressure had been relieved before unscrewing the line block. Failing this, the crewman could have been watching his boss, and letting him know when pressure was still on and later off the line. Finally, the inspector was not paying enough attention to note the risk. He could have been watching the crewman and reminding the installer about pressure in the line.

The work atmosphere was too casual. Everyone was friendly, relaxed, joking, and not paying adequate attention to coordinating their work. Working with fuel systems is potentially dangerous to workmen and innocent bystanders. Men and women working with these systems can enjoy their work, but must always pay attention, communicate effectively, and think SAFETY FIRST!



It's spring at last. Time to check all your Underground things. The EPA has some excellent manuals to help you with operating and maintaining your USTs. Check them out at www.epa.gov/swerust1/pubs

.... Or call the epa/superfund hotline at 1-800-424-9346.

And don't forget to stop and smell the flowers.



OPERATION AND MAINTENANCE: THE UNDERGROUND CONNECTION

\$\$\$ To avoid late fees, pay your tank fees on time! \$\$\$

NEW MEXICO ENVIRONMENT DEPARTMENT
Petroleum Storage Tank Bureau
2044 Galisteo
Santa Fe, NM 87504

PRSRT STD
U.S. Postage Paid
Santa Fe, NM
Permit No. 772

RETURN SERVICE REQUESTED



recycled paper